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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and unilateral coercive measures

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolution 64/170, in which the Assembly requested the Secretary-General to bring the resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the Assembly at its sixty-fifth session. The Office of the United Nations High Commissioner for Human Rights has received replies from the Governments of Argentina, Belarus, the Russian Federation and the Syrian Arab Republic in response to a note verbale sent out by the Office. The report contains a summary of the response from the Syrian Arab Republic. The summaries of the responses from the other three States are not replicated in the present report since they were submitted in response to both Assembly resolution 64/170 and Human Rights Council resolution 12/22, and thus only a reference is made herein to them. Those summaries are included in the report of the Secretary-General on the same subject matter, which was submitted to the Human Rights Council at its fifteenth session (A/HRC/15/43). The present report also contains a brief analysis of the replies.

* A/65/150.

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I. Introduction

1. In paragraph 14 of its resolution 64/170, the General Assembly requested the Secretary-General to bring the resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the Assembly at its sixty-fifth session, while reiterating the need to highlight practical and preventive measures in that regard.

2. On 1 February 2010, in accordance with paragraph 14 of General Assembly resolution 64/170, the Office of the United Nations High Commissioner for Human Rights sent a request for information to all Permanent Missions to the United Nations. As at 19 May 2010, the Office had received responses from the Governments of Argentina, Belarus, the Russian Federation and the Syrian Arab Republic. The replies from Argentina, Belarus and the Russian Federation submitted in response to both Assembly resolution 64/170 and Human Rights Council resolution 12/22 are included in the report of the Secretary-General submitted to the Human Rights Council at its fifteenth session (A/HRC/15/43).

II. Information received from Member States

Syrian Arab Republic

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3. The Government reiterated its position rejecting all unilateral coercive measures. In particular, the Government underlined its particular concern over national legislation of the United States of America entitled "the Syria Accountability and Lebanese Restoration Act". The Government regarded that this legislation is a violation of international law and negatively affected Syria's exercise of the right to development, among other rights.

4. The Government pointed out that its position on this matter was supported both by the Non-Aligned Movement and the Organization of the Islamic Conference. The Government highlighted that both the Non-Aligned Movement and the Organization of the Islamic Conference considered that the above-mentioned legislation constituted a violation of the principles of international law and of the United Nations and that it constituted a negative precedent for the relations among sovereign and independent States.

III. Analysis

5. With regard to General Assembly resolution 64/170, four States submitted their views on human rights and unilateral coercive measures. Most States responded with reference to the requirements of international law. All reaffirmed their objection to the use of unilateral coercive measures. One State suggested the establishment of mechanisms to monitor the application of unilateral coercive measures within the framework of the Human Rights Council or to do so through the United Nations human rights treaty monitoring bodies. One State expressed concern over national legislation enacted by another State and regarded it as an example of unilateral coercive measures that constituted a violation of international law.

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General Assembly

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Sixty-fifth session
Item 100 (g) of the preliminary list*
Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly

United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific

Report of the Secretary-General

Summary

As the primary United Nations regional entity dealing with disarmament and non-proliferation issues in the Asian and Pacific region, the Regional Centre continued its efforts to better respond to the actual needs of Member States in the region and to strengthen its partnerships with Member States and other stakeholders in the region.

The present report contains an account of the activities undertaken by the Regional Centre during the period from July 2009 to June 2010. During the reporting period, the Regional Centre focused on assisting Member States in the region to address the issue of illicit small arms and light weapons through promoting the implementation of the 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and through enhancing international and regional cooperation to prevent, combat and eradicate illicit brokering in small arms and light weapons in the Asian and Pacific region. The Centre continued to promote dialogue and confidence-building on issues related to global and regional disarmament and non-proliferation by organizing two United Nations conferences, in Japan and the Republic of Korea. The Centre also expanded its outreach and advocacy activities through close interaction with various stakeholders in and beyond the region.

* A/65/50.

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Since the Regional Centre depends solely on voluntary financial contributions to carry out its programmatic activities, it is essential that Member States, in particular those in the region, take full ownership of the Centre and provide political and financial support to its programmatic activities for the benefit of the Asian and Pacific region.

In this connection, the Secretary-General wishes to express his gratitude to the Member States and other donors for their support and financial contributions they have provided to the Centre to ensure the sustainability of its core activities and operation. The Secretary-General is also grateful to the Government of Nepal and the States that have already contributed financially and in kind to the Centre.

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I. Introduction

1. Pursuant to General Assembly resolution 42/39 D, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific is mandated to provide, on request, substantive support for initiatives and other activities mutually agreed upon by the Member States of the Asian and Pacific region for the implementation of measures for peace and disarmament, through appropriate utilization of available resources. The Regional Centre coordinates the implementation of the activities of the Office for Disarmament Affairs in the Asian and Pacific region.

2. In its resolution 64/63, the General Assembly welcomed the physical operation of the Regional Centre from Kathmandu, in close cooperation with Member States, and expressed its gratitude to the Government of Nepal for its cooperation and financial support, which had allowed the new office of the Regional Centre to operate from Kathmandu. The Assembly also reaffirmed its strong support for the role of the Regional Centre in the promotion of United Nations activities at the regional level to strengthen peace, stability and security and requested the Secretary-General to report to the Assembly at its sixty-fifth session on the implementation of the resolution.

3. The present report is submitted pursuant to the above-mentioned request and covers the activities of the Regional Centre during the period from July 2009 to June 2010. A financial statement on the status of the Trust Fund for the Regional Centre for the second year of the biennium 2008-2009 is contained in the annex.

II. Activities of the Centre

4. During the reporting period, the Regional Centre focused its programmatic activities on the following areas: promoting the implementation of global disarmament and non-proliferation norms; enhancing regional dialogue on disarmament, non-proliferation and security matters; and outreach and advocacy.

A. Promoting the implementation of global disarmament and non-proliferation norms

5. One of the Regional Centre's priorities is assisting Member States in addressing the challenges posed by illicit trade of small arms and light weapons in the Asian and Pacific region, promoting the full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.[1] In the light of the outcome document of the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action, held in 2008,[2] which identified illicit brokering in small arms and light weapons as a priority issue, the Regional Centre launched a new project in June 2009 entitled "Enhancing international and regional cooperation to prevent, combat

[1] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[2] A/CONF.192/BMS/2008/3.

and eradicate illicit brokering in small arms and light weapons in Asia and the Pacific".

6. Following a successful first regional seminar on combating illicit brokering in small arms and light weapons, organized for Central and South Asia in Kathmandu, in June 2009, the Regional Centre organized a second regional seminar for East and South-East Asia in Bangkok in February 2010. Ten Member States from those subregions and several international and regional organizations, including the International Criminal Police Organization (INTERPOL), the World Customs Organization and the Organization for Security and Cooperation in Europe, as well as civil society organizations, participated in the seminar. The seminar raised awareness concerning the importance and urgency of addressing the challenge of illicit brokering in small arms and light weapons and the need to enhance international, regional and bilateral cooperation in the region. Participating countries exchanged views on their respective national efforts to addressing the issue and shared experience and lessons learned in that regard, as well as good practice from other regions in the world in dealing with the issue. Participants also discussed how to draw up and enhance national legislation and regulation as well as ways and means to strengthen enforcement efforts. In addition, areas in need of possible assistance were identified, including capacity-building for and technical assistance to States through international and regional cooperation.

7. In addition to addressing the issue of illicit brokering in small arms and light weapons, the Regional Centre promoted the implementation in the Asia and Pacific region of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It supported the organization in Bali, Indonesia, in March 2010 of a meeting of South-East Asian States to prepare for the Fourth Biennial Meeting of States on the Programme of Action. Representatives of South-East Asian States, Japan and the Association of Southeast Asian Nations (ASEAN) secretariat, with the support of the Office for Disarmament Affairs of the United Nations, reviewed the regional implementation of the Programme of Action and exchanged views on themes for the Fourth Biennial Meeting, including border control, international cooperation and assistance, and the International Instrument, to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.[3]

8. The Regional Centre provided substantive support for an Office of Disarmament Affairs workshop for South-East Asian countries on transparency in armaments, held in Bali, Indonesia, on 31 March and 1 April 2010. The seminar addressed the issue of the need for transparency in conventional arms transfers to prevent the excessive and destabilizing accumulation of conventional weapons and to promote stability and confidence-building among States. It provided an opportunity for participating States to familiarize themselves with the reporting requirements of the United Nations Register of Conventional Arms and the United Nations Standardized Instrument for Reporting Military Expenditures and helped to increase their understanding and knowledge of those instruments.

9. The Regional Centre worked closely with civil society organizations and supported their efforts to address the issue of illicit small arms and light weapons. It shared its experience on the implementation of the Programme of Action in South

[3] A/60/88 and Corr.2, annex.

Asia at a two-day regional seminar entitled "Peace and security in South Asia: issues and priorities for regional cooperation on small arms and light weapons control", which was held in Dhaka in November 2009. The seminar was organized by the Bangladesh Institute of International and Strategic Studies and Saferworld, United Kingdom.

B. Promoting regional dialogue on disarmament, non-proliferation and security matters

10. Against the backdrop of increasing international efforts to pursue a nuclear-weapon-free world through disarmament and non-proliferation measures that were gaining momentum, and in the lead-up to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Regional Centre organized two annual conferences on disarmament and non-proliferation issues in cooperation with the Governments of Japan and the Republic of Korea respectively.

11. In cooperation with the Government of Japan and the city of Niigata, the Regional Centre organized the twenty-first United Nations Conference on Disarmament Issues in Niigata, Japan, from 26 to 28 August 2009 under the title "From Niigata to the world: renewed determination and action toward a nuclear weapon-free world". The conference was attended by more than 100 participants and observers from Governments, international organizations, research and academic institutions, and civil society. The conference was also open to citizens of Niigata. The participants discussed concrete actions towards (a) the goal of a nuclear-weapon-free world, (b) denuclearization of the Korean peninsula, (c) achieving a successful 2010 Non-Proliferation Treaty Review Conference, (d) addressing challenges in the field of conventional arms and (e) enhancing the role of civil society in promoting disarmament education.

12. At the conference, participants discussed ways and means to sustain the momentum towards achieving a nuclear-weapon-free world, including through an action-oriented workplan. Challenges such as verification, enforcement of the non-proliferation regime, and the need to change national military doctrines were also discussed. On the denuclearization of the Korean peninsula, participants agreed that, despite difficulties hindering swift progress, the six-party talks remained an essential diplomatic framework for addressing the Democratic People's Republic of Korea nuclear issue. In considering the possible outcomes of the 2010 Non-Proliferation Treaty Review Conference, participants had shared views on the importance of a balanced and comprehensive approach towards the three pillars of the treaty. However, divergence remained as to what constituted such a balance. The discussion benefited greatly from the participation of the President-elect as well as the chairpersons of the three main committees for the 2010 Non-Proliferation Treaty Review Conference.

13. Subsequently, the Regional Centre organized a disarmament education workshop for university students, to raise their awareness of current disarmament and non-proliferation challenges.

14. Together with the Ministry of Foreign Affairs and Trade of the Republic of Korea, the Regional Centre organized the eighth United Nations-Republic of Korea Joint Conference on Disarmament and Non-Proliferation Issues in Jeju Island, Republic of Korea, from 16 to 18 November 2009. The Conference entitled "NPT

2010: prospects for a new era of progress on disarmament and non-proliferation" brought together 40 participants to discuss ways and means to enhance the three pillars of the Non-Proliferation Treaty, and to address regional nuclear non-proliferation challenges in an open and frank manner.

15. Participants in the Joint Conference stressed the need for concrete action, such as further reductions of nuclear arms, the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the negotiation in the Conference on Disarmament of a treaty to prohibit the production of fissile materials for use in nuclear weapons, as well as a reduction in the level of reliance on nuclear weapons in national military doctrines. Concerning the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, participants had an in-depth discussion on various key elements necessary for a successful conference, including unequivocal commitments to nuclear disarmament on the part of nuclear-weapon States, implementation of the 1995 decision on the Middle East and promotion of the peaceful use of nuclear energy, while strengthening the nuclear non-proliferation regime, as well as the issue of withdrawal from the Treaty. The Conference discussed various proposals on multilateral mechanisms for nuclear fuel supplies in the context of "nuclear renaissance" and its proliferation. Participants also addressed options for responding to nuclear proliferation challenges, including multidimensional efforts of a political, security and economic nature in multilateral and bilateral processes.

C. Partnership, outreach and advocacy activities

16. The Regional Centre continued to strengthen partnerships and develop initiatives and projects with regional stakeholders, including Member States, regional and subregional organizations, and civil society.

17. In promoting the Secretary-General's "We must disarm" campaign, the Regional Centre conducted outreach activities in its host country, Nepal. In September 2009, the Centre celebrated the International Day of Peace together with Government officials and representatives of civil society organizations, as well as students from schools in Kathmandu. The event focused on the issue of disarmament and inclusive participatory peace and disarmament education, as well as on mine risk awareness.

18. The Centre organized a series of informal discussions at which national and international experts were invited to consider ways to promote disarmament and arms control initiatives in Nepal. Building on the outcome of the regional seminar in Dhaka (see para. 9, above), the first discussion forum, held in December 2009, focused on the illicit trade in small arms and light weapons in Nepal. The second forum focused on gun violence in Nepal and was organized in May 2010, in the context of the Global Week of Action against Gun Violence, to strengthen efforts by national civil society groups to prevent and combat gun violence.

19. To celebrate the International Women's Day for Peace and Disarmament and to promote the implementation of Security Council resolution 1325 (2000), the Regional Centre organized a capacity-building seminar in May 2010 for key actors working for women's rights in Nepal, to enable them to discuss ways in which to increase the involvement of women in disarmament and arms control efforts.

20. The Regional Centre further increased its outreach efforts through the launch of its first newsletter in May 2010 and through the expansion of its website www.unrcpd.org.np. These efforts are aimed at providing regular and accurate information about the work of the Regional Centre, as well as about relevant global and regional developments in the area of peace and disarmament.

D. Future activities

21. The Regional Centre launched its new project portfolio, which was developed with a view to addressing the specific needs of Member States in the region in the area of peace and disarmament. The projects are: 1. Training the trainers for the law enforcement community in Asia and the Pacific to combat illicit trade in small arms and light weapons; 2. Enhancing public security and stability in Asia and the Pacific through armed violence reduction and prevention; and 3. Strengthening the capacity of the media to advocate and promote peace and disarmament in Asia and the Pacific.

III. Staffing and financing

22. The Regional Centre continues to rely on extrabudgetary resources for its core staff. The Governments of Nepal, the Netherlands and Switzerland continue to support the Centre in funding the Special Coordinator for Peace and Disarmament Programmes and an associate expert, as well as local support staff. Since February 2010, the Government of Switzerland has sponsored a United Nations Volunteer for the Centre.

23. The Secretary-General would like to express his appreciation to Member States for their support in making provision for two posts in the regular budget, starting from the biennium 2010-2011, as well as for providing an allocation to cover a portion of the Centre's operating costs. Recruitment for the two posts is currently under way and it is expected that this additional capacity will create a stable core team of skilled professional and support staff at the Centre to enable it to carry out its mandate effectively.

24. During 2009, voluntary contributions in the amount of $147,012 were received. The Secretary-General wishes to express his gratitude to those Member States that have contributed to the Regional Centre: China, Japan, Kazakhstan, Nepal, the Netherlands, Pakistan, the Republic of Korea, Switzerland, Thailand and Turkey. These annual contributions are essential to ensure the sustainability of the operation of the Centre, its core activities and its programmes. The Secretary-General urges all Member States, in particular those in the Asian and Pacific region, as well as other donors, to provide financial resources to support the Centre's programme.

IV. Conclusion

25. During the reporting period, the Regional Centre increased its capacity to act as a catalyst for peace and disarmament in Asia and the Pacific, through its outreach and advocacy activities, strengthening its partnership with key stakeholders in the

region and undertaking projects tailored to regional needs. By aligning its annual conferences on nuclear disarmament and non-proliferation, as well as its project on illicit brokering in small arms and light weapons, with important global events such as the Non-Proliferation Treaty Review Conference (May 2010) and the fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action (June 2010), the Regional Centre aimed at contributing to global efforts to achieve progress on disarmament and non-proliferation.

26. As the principal United Nations regional entity dealing with disarmament and non-proliferation issues in Asia and the Pacific, the Centre is expanding its activities, including implementation of concrete projects aimed at meeting the needs of Member States in the region in the fields of peace and disarmament. It is of critical importance that Member States, especially those in the region, continue to provide political and financial support to the Regional Centre.

Annex

Status of the Trust Fund for the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific for 2009

	United States dollars
Fund balance, 31 December 2008	537 596
Income, 1 January-31 December 2009	
Voluntary contributions	147 012
Funds received under inter-organization arrangements	—
Interest income	12 814
Other/miscellaneous income	—
Subtotal	**697 422**
Expenditure 1 January-31 December 2009	125 083
Programme support costs	12 501
Subtotal	**137 584**
Prior-period adjustments	-2
Reserves and fund balance, 31 December 2009	**559 836**

Note: This information is based on the statement of income and expenditure for 2009. During the period under review contributions totalling $147,012.16 were received from China ($50,000), Kazakhstan ($10,000), Pakistan ($4,012), the Republic of Korea ($50,000), Thailand ($3,000) and Turkey ($30,000).

During the period from 1 January to 31 May 2009, additional contributions totalling $93,228 were received from Nepal ($90,228) and Turkey ($3,000).